

RECEIVED
IN LAKE CHARLES, LA

MAY 18 2006

PAM
ROBERT H. SHENWELL, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

BASF AGROCHEMICAL PRODUCTS : DOCKET NO. 05 CV 1478
B.V. and BASF CORPORATION

VS. : JUDGE MINALDI

MICHAEL T. UNKEL; MICHAEL W. : MAGISTRATE JUDGE WILSON
UNKEL; KINDER CANAL
COMPANY, INC.; AND KENNETH
McCOWN

JUDGMENT

In accordance with the court's November 16, 2005 ruling from the bench and for the reasons stated therein, the court issues this final judgment pursuant to Fed.R.Civ.P. 58.

Accordingly,

IT IS ORDERED, ADJUDGED AND DECREED that the motions to dismiss Kinder Canal Company, Inc. [doc. 20] and Kenneth McCown [doc. 22] are GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion to dismiss the state law contract claim against Michael W. Unkel and Michael T. Unkel is GRANTED as to Michael W. Unkel and DENIED as to Michael T. Unkel. The motions to dismiss filed by these defendants are DENIED as to the remaining claims.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the temporary restraining order already in effect is converted to a preliminary injunction.

Lake Charles, Louisiana, this 17 day of May, 2006.



PATRICIA MINALDI

UNITED STATES DISTRICT JUDGE